

GOVERNMENT OF JAMMU AND KASHMIR
Department of Rural Development and Panchayati Raj
Civil Secretariat
Jammu/ Srinagar

Notification
Srinagar , the 24th October, 2020

S.O **330**.-In exercise of the powers conferred by section 80 of the Jammu and Kashmir Panchayati Raj Act, 1989 and all other provisions enabling in this behalf, the Government of Jammu and Kashmir hereby make the following amendments in the Jammu and Kashmir Panchayati Raj Rules, 1996, namely:-

1. Sub-rule (1) of rule 74 shall be substituted by the following sub-rule, namely:-

“ (1) Every candidate who desires to contest the election of Sarpanch/Panch of Halqa Panchayat/Elected Member in District Development Council/Chairperson of Panchayati Adalat/Chairperson, Block Development Council/Chairperson and Vice Chairperson of District Development Council shall have to take an oath as per “Form 4” of the rules before the prescribed authorities.”

2. In rule 74-A, in sub-rule (1) for the words “Chairman of Block Development Council”, the words and sign “Chairperson of Block Development Council/Member of District Development Council/Chairperson and Vice Chairperson of District Development Council” shall be substituted.

3. After sub-rule (3) of rule 108-A, the following sub-rules shall be inserted, namely:-

“(3A). The number of constituencies reserved for Scheduled Tribes, Scheduled Castes and Women for each District Development Council shall be fixed on the basis of the prescribed ratio under section 45-A of the Act for each category and applying the principles of mathematic round off with the part fraction of 0.5 and above being rounded off to one and part fraction below 0.5 being ignored for each constituency separately.

(3B) The number of seats reserved for Scheduled Tribe and Scheduled Caste as provided in Rule 3A shall be allotted to different territorial constituencies on the basis of proportion of Scheduled Tribe and Scheduled Caste population to total population of the constituency in descending order, that is, from amongst the territorial constituencies in the District Development Council, the territorial constituency having the largest proportion of the Scheduled Tribes population shall be allotted to them and the territorial constituencies having the largest proportion of Scheduled Caste population shall be allotted to them. In the subsequent elections, the allotment shall be made in the aforesaid manner so that as far as may be practicable, the territorial constituency reserved for the Scheduled Tribes in the previous election shall not be allotted to Scheduled Tribes, and the territorial constituency reserved for the Scheduled Castes shall not be allotted to the Scheduled Castes.

(3C) The allocation of constituencies to be reserved for Women shall be made on a three-point roster system for each category separately of Women (Open Category), Women (Scheduled Caste Category) and Women (Scheduled Tribe Category). The roster points shall be taken as under:

- (i) Seat reserved for women;
- (ii) Open seat; and
- (iii) Open seat

(3D). The three-point roster system under sub-rule (3C) shall be applied for each constituency of the District Development Council in each category of Open, Schedule Caste and Schedule Tribe separately after listing them in alphabetic order for each category. In case the roster leads to a constituency which is reserved for the elections in a particular year under the same category, the constituency immediately next in serial shall be reserved for that particular roster point in the subsequent elections.

(3E) If on the basis of population of the Scheduled Tribes or of the Scheduled Castes in a District, only one seat can be reserved for the Scheduled Tribes or for the Scheduled Castes as the case may be, such seat

shall be treated as part of the Open Category for the purpose of reservation of seats for women.

(3F) The roster for women reservation as prescribed in Rule.3C and 3D above shall also be applicable to the elections of the Chairpersons of the District Development Councils.

4. After rule 108-ZJ, the following rule shall be inserted namely:

“108-ZJJ. Resignation before taking oath of office. An elected member of the District Development Council who also happens to be a Sarpanch/ Panch or Chairperson of the Block Development Council may after being so elected and before taking an oath of office for the District Development Council under rule 74-A shall tender his resignation from Sarpanch/ Panch or Chairperson of the Block Development Council to the District Development Commissioner who shall after its acceptance inform the Election Authority and the Government.

5. FORM No. 4 and FORM No. 4-A shall be substituted as FORM No. 4 FORM No. 4-A as appended to this notification.

6. After FORM 42, the Forms No. 43, 44, 45, 46, 47, 48, 49 and 50 appended to this notification shall be added.

By order of the Government of Jammu and Kashmir.

**Sd/-
(Sheetal Nanda)IAS
Secretary to Government,
Department of Rural Development and
Panchayati Raj**

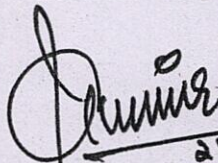
No: RD/Panch/23/2020

Dated: 24 -10- 2020

Copy to the:-

1. Financial Commissioners, J&K.
2. Principal Secretary to Hon'ble Lieutenant Governor.
3. All Principal Secretaries to the Government.

4. Chief Electoral Officer, J&K, Jammu.
5. Joint Secretary (J&K), Ministry of Home Affairs, GoI, New Delhi.
6. All Commissioner/Secretaries to the Government.
7. Divisional Commissioner, Jammu/Kashmir.
8. Secretary to the Government, Department of Law, Justice & PA.
9. All Deputy Commissioners (District Panchayat Election Officers).
10. Director Information, J&K, Srinagar.
11. Director Archives, Archaeology and Museums, J&K, Srinagar.
12. Director Rural Development Kashmir/Jammu.
13. Director Local Bodies, Jammu/Kashmir.
14. General Manager, Government Press, Srinagar/Jammu for publication in Gazette.
15. Pvt. Secretary to the Chief Secretary, J&K, for kind information of Worthy Chief Secretary.
16. Pvt. Secretary to Advisor (S) to Lieutenant Governor.
17. Pvt. Secretary to Advisor (F) to Lieutenant Governor.
18. Pvt. Secretary to Advisor (B) to Lieutenant Governor.
19. Pvt. Secretary to Advisor (BK) to Lieutenant Governor.
20. Pvt. Secretary to the Secretary to the Government, Department of RD and PR for information of the Secretary.
23. In-charge Website, RDD.
24. Stock file.


24.X.2020
(Javaid Ahmad Reshi), KAS
Deputy Secretary to the Government

24.10.20

FORM NO. 4

[See rule 74]

I _____ having been nominated as a candidate for election to the Sarpanch/ Panch/ of Halqa Panchayat/Member in Panchayati Adalat/Elected Member in District Development Council/Chairman of Panchayati Adalat/Chairperson, Block Development Council/Chairperson and Vice Chairperson of District Development Council do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established and that I will uphold the sovereignty of India.

Signature
Name of the Candidate
(in Block Letters)

Note: The oath may be subscribed before

- (a) Returning Officer or Assistant Returning Officers subordinate to him;
- (b) Executive Magistrate First Class;
- (c) Judicial Magistrate First Class;
- (d) Or any other person authorized by the Election Authority.

FORM NO. 4-A

[See rule 74-A]

I _____ having been elected/nominated as Sarpanch/Panch of Halqa Panchayat/Member in Panchayati Adalat/Member in District Development Council/Chairman of Panchayati Adalat/Chairperson, Block Development Council/Chairperson and Vice Chairperson of District Development Council do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established and that I will uphold the sovereignty of India.

Signature

FORM NO. 43
[See rule 108-H (2) & 108-J (i)]
NOMINATION PAPER

Constituency.....District.....

PART I

I,S/o D/oW/o nominate myself as a candidate for election to the District Development Council from Constituency

I hereby Declare:-

- (a) That my name is entered at S.No..... of electoral roll forPanchayat Halqa
- (b) That I have completed..... years of age.
- (c) That I am set up at this election by the party which is recognized National/State Party in the Union territory of Jammu and Kashmir and the symbol reserved from the above political party be allotted to me.
- (d) That I am set up at this election by the party which is a registered unrecognised political party/ That I am contesting elections as an independent candidate and my choice of symbol in order of preference is:-

(i) (ii) (iii)

Dated

*Mark (x) whichever not applicable

(Signature of Candidate)

Name of the Candidate
(in block letters)

PART II
Authorization of Agent

I a candidate at the above election hereby authorise (name)S/o D/o W/oR/o to deliver this nomination paper

Signature of candidate

Place

Date

I agree to act as such election agent.

Signature of the election agent

Place

Date

PART III

This nomination paper was delivered to me at my office at(hours) on(date) by the candidate/authorized agent. **He/she has deposited the security amount of rupeesvide bank draft No.dated.....**

Returning Officer

**Decision of Returning Officer,
Accepting or Rejecting the nomination paper**

I have examined this nomination paper in accordance with the provisions of Jammu and Kashmir Panchayati Raj Act, 1989 and rules made there under and decide as under:

Returning Officer

Date

PART IV

Receipt for nomination paper and notice of scrutiny
(to be handed over to the person presenting the nomination paper)

The nomination paper ofa candidate for election of District Development Council fromconstituency of was delivered to me at my office at(hours) on (date) by the candidate/authorised agency. All nomination papers will be taken up for scrutiny at

.....(hours).....on:(date) at
(place).

Place

Date

Returning Officer

FORM NO. 44
[See rule 108-K (1)]

NOTICE OF WITHDRAWAL

Election to the District Development Councilfrom Constituency No.
.....

To
The Returning Officer
.....

I,.....S/o/D/oW/o.....R/o
.....a candidate nominated for District Development Council at the
above election do hereby give notice that I withdraw my candidature.

Place
Date

Signature of the candidate

This notice was delivered to me at my office at(hours)on
(date) by(Name) the candidate/**election agent**.

Returning Officer

RECEIPT FOR NOTICE OF WITHDRAWAL
(to be handed over to the person delivering the notice)

The notice of withdrawal of candidature by
.....S/oD/oW/o..... a
candidate at the election to the District Development Council
.....for constituency No. was delivered to me said
candidate/election agent at my office at(hours)on
.....(date)

Returning Officer

FORM NO. 45
(See rule 108-R)

COUNTERFOIL

Electoral Roll Part No. District Name/Code.....

S.No. Constituency in District.....

Sl.No. of Elector.....

S.No. of B.P.....

Signature/Thumb Impression of the Elector

.....P E R F O R A T I O N.....

Ballot paper

District Development Council _____

Constituency _____

S.No. _____ (Machine Numbered)

S.No	Symbol	Name of Candidate
1	2	3

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.

FORM NO. 46
[See rule 108-ZJ (1)]
ELECTION RESULTS

District Development Council.....

1. I.....declare hereby following
as elected members from the District Development Council

.....
District

S.No	Name of the member	Name of the Constituency
1.	Mr/Mrs..... S/oD/oW/o..... R/o.....	
2.	Mr/Mrs..... S/oD/oW/o..... R/o.....	
3.	Mr/Mrs..... S/oD/oW/o..... R/o.....	
4.	Mr/Mrs..... S/oD/oW/o..... R/o.....	
5.	Mr/Mrs..... S/oD/oW/o..... R/o.....	
6.	Mr/Mrs..... S/oD/oW/o..... R/o.....	
7.	Mr/Mrs..... S/oD/oW/o..... R/o.....	
8.	Mr/Mrs..... S/oD/oW/o..... R/o.....	
9.	Mr/Mrs..... S/oD/oW/o..... R/o.....	
10.	Mr/Mrs..... S/oD/oW/o..... R/o.....	

- 11. Mr/Mrs.....
S/oD/oW/o.....
R/o.....
- 12. Mr/Mrs.....
S/oD/oW/o.....
R/o.....
- 13. Mr/Mrs.....
S/oD/oW/o.....
R/o.....
- 14. Mr/Mrs.....
S/oD/oW/o.....
R/o.....

Signature of the Returning Officer

Dateday of20

FORM-47
[see rule 108-ZN (4)]

NOTICE FOR OATH OR ALLEGIANCE.

To Office-bearers of District Development Council_____.

In pursuance of sub-rule (4) of rule 108-ZN of the Jammu and Kashmir Panchayati Raj Rules, 1996, I, (prescribed authority), do hereby give notice that a meeting of the District Development Council shall be held on (date) at (hours) at the (place) for oath or affirmation of allegiance or to elect Chairperson/Vice Chairperson of District Development Council under section **45-B** of the Act.

Place.....

Dated.....

Prescribed Authority.

*Strike out which is not applicable.

FORM-48
[see rule 108-ZN (8)]

**FORM OF NOMINATION PAPER FOR ELECTION FOR THE OFFICE OF
CHAIRPERSON/VICE-CHAIRPERSON OF DISTRICT
DEVELOPMENT COUNCIL.**

Name of District Development Council

Name in full of candidate

S. No. of voter list with particulars thereof

Father's name/Husband's name

Full address

Name of proposer in full

Name of seconder in full

Place

Date

Signature of Proposer and Secunder.

DECLARATION OF CANDIDATE

I hereby declare that I agree to the nomination and I am willing to serve.

Place

Date

.....

Signature of Candidate

FORM NO.49
[see rule 108-ZN (14)]

BALLOT PAPER

District Development Council.....

Name of Candidate for election of

1.

2.

3.

etc

.....

Signature of the Presiding Officer
of the meeting with his official Seal.

FORM-50
[see rule 108-ZN (21)]

PUBLICATION OF RESULT OF CHAIRPERSON/VICE-CHAIRPERSON OF DISTRICT DEVELOPMENT COUNCIL _____.

In exercise of the powers conferred by rule 108-ZN (21) of the Jammu and Kashmir Panchayati Raj Rules, 1996, I District, (prescribed authority) District, hereby publish the election result of CHAIRPERSON/Vice-CHAIRPERSON of District Development Council, District

Sl. No.	Name with name of Father/Husband and address	Name of the office viz Chairperson/Vice-Chairperson	Elected
1	2	3	4

.....
Prescribed Authority.

Place

District

Dated